

RESOLUTION

AMENDING THE AWARD OF CONTRACT FOR RESOLUTION NO. 23-03-30-125, TO REIVAX CONTRACTING CORP. (165 RIVER ROAD, FLEMINGTON, NJ 08822) AS THE LOWEST RESPONSIBLE BIDDER FOR THE BILLIAN, MORTON & KLINE IMPROVEMENT PROJECT, IN THE BASE BID SUM OF \$1,140,734.91, FUNDED THROUGH THE 2017 & 2018 CAPITAL SEWER FUND. ONE BID FROM ADG CONTRACTING WAS REJECTED ON ADVICE OF COUNSEL DUE TO MISSING SUBCONTRACTOR DISCLOSURE

WHEREAS, it was determined resolution 23-03-30-125, adopted by Council on March 30, 2023, had a typographical miscalculation which has been corrected and resubmitted for approval; and

WHEREAS, the Township Administrator and Township Engineer have determined that there is a need for the acquisition of the following goods and services: **Billian, Morton, and Kline Improvement Project**; and

WHEREAS, the project which will consist of improvements to the entire lengths of Frog Hollow Road, Kline Place, Morton Street, and Billian Street (Kline Place to Frog Hollow Road) including but not limited to full-depth pavement reclamation throughout the project limits, pavement overlay of reclaimed subbase, storm sewer upgrades, and driveway apron repairs. Overall project length is approximately 3,500 linear feet. All disturbed areas will be restored to their original condition; and

WHEREAS, a notice of advertisement for bids and an Invitation to Bid were prepared and advertised in accordance with the Local Public Contracts Law; and

WHEREAS, sealed bids were opened and read on Friday, March 17, 2023, at 10:00 A.M, in accordance with the requirements of the Local Public Contracts Law, Executive Order 107, and Local Finance Notice 2020-10; and

WHEREAS, six (6) bids were received as follows and the low bid from Crossroads Paving was rejected due to missing subcontractor disclosure:

	<u>Base Bid</u>	<u>Alternate Bid</u>	<u>Total Bid</u>
ADG Contracting Corp. (Crossroads Paving)	\$1,039,572.50	\$90,987.00	\$1,130,559.50
Reivax Contracting Corp.	\$1,044,829.02	\$95,905.89	\$1,140,734.91
PA Construction, Inc.	\$1,069,453.61	\$93,724.02	\$1,163,177.63
Black Rock Enterprises, LLC	\$1,110,141.79	\$99,877.71	\$1,210,019.50
Pave-Rite, Inc.	\$1,189,564.58	\$127,034.40	\$1,316,598.98
CMS Construction, Inc.	\$1,411,301.80	\$176,637.00	\$1,587,938.80

WHEREAS, the bid submitted by ADG Contracting Corp. d/b/a Crossroads Paving was deemed non-responsive by Township Attorney Corsini for failure to include a list of subcontractors pursuant to N.J.S.A.40A:11-16, with said failure a material, non-waivable condition of the bid; and

WHEREAS, William H. Burr, I.V., P.E. Township Engineer, and Rose Witt, Qualified Purchasing Agent have reviewed the bids and recommend that the award of contract be made to Reivax Contracting Corp., in the amount of \$1,140,734.91, as the lowest responsible bidder; and

WHEREAS, Christopher M. Corsini, Township Attorney, has reviewed the bid proposal package for this project, declares the proposal submitted by Reivax to be in conformance with the Township Instructions to Bidders and the Local Public Contracts Law and recommends an award of contract to Reivax Contracting Corp. as the lowest responsive and responsible bidder; and

WHEREAS, the availability of funds has been certified by Joseph Sarno, Chief Finance Officer on behalf of Holman Frenia Allison, P.C., who shall make an appropriate entry into the Township's encumbrance system, in the amount of \$1,140,734.91, from account number 08-2018-1809-0-4-0 in the amount of \$340,734.91 and 08-2017-1720-0-4-0 in the amount of \$800,000.00 pursuant to N.J.A.C. 5:30-5.1 and 5.2, and said certification being attached to the resolution.

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Bridgewater, County of Somerset, State of New Jersey as follows:

1. The bid submitted by ADG Contracting Corp. d/b/a Crossroads Paving is hereby deemed non-responsive for failure to include a list of subcontractors pursuant to N.J.S.A. 40A:11-16, with said failure a material, non-waivable condition of the bid.
2. An award of contract for the Billian, Morton and Kline Improvement Project, as outlined hereinabove, is hereby made to Reivax Contracting Corp., as the lowest responsible bidder in the amount of \$1,140,734.91.
3. The Mayor, Matthew Moench, and Township Clerk, Linda Doyle, are hereby authorized to execute the township standard form of Contract for Goods and Services referenced herein and made a part of this award of contract as well as any non-substantive modifications thereto and related constituent documents.
4. The Township Clerk is directed to forward a certified copy of this Resolution to the Qualified Purchasing Agent, Chief Financial Officer, Township Engineer, Township Attorney, and Reivax Contracting Corp.

Introduced	Seconded	Council	Aye	Nay	Abstain	Absent
✓		Kurdyla	✓			
		Norgalis	✓			
		Pedroso	✓			
	✓	Ring	✓			
		Kirsh	✓			

Adopted: April 20, 2023